

SUPREME COURT OF CALIFORNIA

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**NOTICE OF  
FORTHCOMING FILING**

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The Supreme Court has indicated that the filing of a written opinion in the following case(s) is forthcoming. At the filing time designated below, the filed opinion(s) will be accessible at the judicial branch web site ([www.courtinfo.ca.gov](http://www.courtinfo.ca.gov)) and copies will be made available at the Supreme Court Clerk's Office.

[Generally, the description set out with regard to each case is reproduced from the original news release issued when review in the matter was granted, and is provided for the convenience of the public and the press. The description does not necessarily reflect the view of the court, or define the specific issues that will be addressed by the court.]

**PEOPLE v. LAMAS (ROBERT)**

S145231 (G035001; Orange County Superior Court – 04NF3521)  
Argued in San Francisco 9-06-07

This case presents the following issue: May the offense of active participation in a criminal street gang, which requires among other things that the defendant have “willfully promote[d], further[ed], or assist[ed] in any felonious criminal conduct by members of that gang” (Pen. Code, § 186.22(a)), be based on committing the offense of carrying a loaded firearm in a public place, which is generally a misdemeanor but is a felony if the defendant “is an active participant in a criminal street gang, as defined in subdivision (a) of [s]ection 186.22” (Pen. Code, § 12031(a)(2)(C))?

**Opinion(s) in the above case(s) will be filed on:**

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Thursday, October 25, 2007 at 10:00 a.m.